

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75451

This is to certify that: CHRISTINE BASTIAN And
 LYNN S. BASTIAN
 16580 S MARSH VALLEY RD
 ARIMO ID 83312
 (208)897-5066

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
29-4302	WR/Decreed	06/01/1926	6.26 cfs	N/A	N/A	313.0	MARSH CREEK
29-11463	WR/Decreed	06/01/1926	0.91 cfs	N/A	45.7	313.0	UNNAMED STREAM
29-11465	WR/Decreed	06/01/1955	0.5 cfs	N/A	100.0	313.0	HAWKINS CREEK

Purpose of Transfer (Changes Proposed)

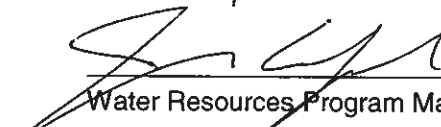
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
29-4302	NO	NO	YES	NO	NO	NO
29-11463	NO	NO	YES	NO	NO	NO
29-11465	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
29-4302	29-4302	6.26 cfs	N/A	N/A	313.0		N/A	N/A	N/A	N/A
29-11463	29-11463	0.91 cfs	N/A	45.7	313.0		N/A	N/A	N/A	N/A
29-11465	29-11465	0.5 cfs	N/A	100.0	313.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		7.67 cfs	N/A	313.0	313.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 6th day of January, 2011


 Water Resources Program Manager

SUPPORT DATA

IN FILE # 29-4302

WATER RIGHT NO. 29-11463
As Modified by Transfer No. 75451

In accordance with the approval of Transfer No. 75451, Water Right No. 29-11463 is now described as follows.

Right Holder: LYNN S BASTIAN And
 CHRISTINE BASTIAN
 16580 S MARSH VALLEY RD
 ARIMO ID 83214

Priority Date: June 01, 1926

Source: UNNAMED STREAM

Tributary: HAWKINS CREEK

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
STOCKWATER	01/01 to	12/31	0.02 CFS
IRRIGATION	04/01 to	10/31	0.91 CFS

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM	L8 (NESWSW)	Sec. 30 Twp 10S	Rge 37E	BANNOCK County
UNNAMED STREAM	L1 (NENWNW)	Sec. 31 Twp 10S	Rge 37E	BANNOCK County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 36E 25																X	
10S 36E 36	X	X	X	X									X	X			
10S 37E 30					X	X	X		X	X							
10S 37E 30						L1	L4		L6	L7							
10S 37E 31						X	X		X	X							
10S 37E 31						L1	L3		L6	L7							
						X											
						L2											

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 36E 25																5.6	5.6
10S 36E 36	18.0	6.3	35.0	40.0									40.0	31.0			170.3
10S 37E 30					24.0	.6	5.7		1.0	15.0							83.3
10S 37E 30						L1	L4		L6	L7							
10S 37E 31										37.0							
10S 37E 31						18.0	8.3		11.0	1.5							53.8
10S 37E 31						L1	L3		L6	L7							
						15.0											
						L2											

Total Acres: 313

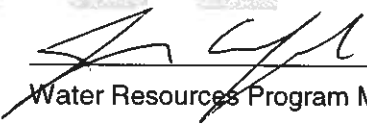
WATER RIGHT NO. 29-11463
As Modified by Transfer No. 75451

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 45.7 acres within the authorized place of use in a single irrigation season.
2. Rights 29-4302, 29-11463 and 29-11465 when combined shall not exceed the irrigation of 313.0 acres.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
6. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of January, 20 11


Water Resources Program Manager

WATER RIGHT NO. 29-4302
As Modified by Transfer No. 75451

In accordance with the approval of Transfer No. 75451, Water Right No. 29-4302 is now described as follows.

Right Holder: LYNN S BASTIAN And
 CHRISTINE BASTIAN
 16580 S MARSH VALLEY RD
 ARIMO ID 83214

Priority Date: June 01, 1926

Source: MARSH CREEK

Tributary: PORTNEUF RIVER

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/31	6.26 CFS
STOCKWATER	01/01 to	12/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

MARSH CREEK	L5 (NWSW)	Sec. 30 Twp 10S	Rge 37E	BANNOCK County
MARSH CREEK	L8 (SWSW)	Sec. 30 Twp 10S	Rge 37E	BANNOCK County
MARSH CREEK	L1 (NWNW)	Sec. 31 Twp 10S	Rge 37E	BANNOCK County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 36E 25																X	
10S 36E 36	X	X	X	X									X	X			
10S 37E 30					X	X	X		X	X							
10S 37E 30						L1	L4		L6	L7							
10S 37E 31						X	X		X	X							
10S 37E 31						L1	L3		L6	L7							
						X											
						L2											

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 36E 25																5.6	5.6
10S 36E 36	18.0	6.3	35.0	40.0									40.0	31.0			170.3
10S 37E 30					24.0	.6	5.7		1.0	15.0							83.3
10S 37E 30						L1	L4		L6	L7							
10S 37E 31										37.0							
10S 37E 31						18.0	8.3		11.0	1.5							53.8
10S 37E 31						L1	L3		L6	L7							
						15.0											
						L2											

Total Acres: 313

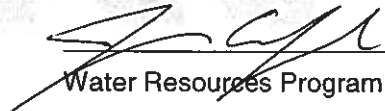
WATER RIGHT NO. 29-4302
As Modified by Transfer No. 75451

CONDITIONS OF APPROVAL

1. Rights 29-4302, 29-11463 and 29-11465 when combined shall not exceed the irrigation of 313.0 acres.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
5. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
6. This right does not grant any right-of-way or easement across the land of another.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of January, 20 11


Water Resources Program Manager

WATER RIGHT NO. 29-11465
As Modified by Transfer No. 75451

In accordance with the approval of Transfer No. 75451, Water Right No. 29-11465 is now described as follows.

Right Holder: LYNN S BASTIAN And
 CHRISTINE BASTIAN
 16580 S MARSH VALLEY RD
 ARIMO ID 83214

Priority Date: June 01, 1955

Source: HAWKINS CREEK

Tributary: MARSH CREEK

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
STOCKWATER	01/01 to	12/31	0.02 CFS
IRRIGATION	04/01 to	10/31	0.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

HAWKINS CREEK	NWSWNE	Sec. 36 Twp 10S	Rge 36E	BANNOCK County
HAWKINS CREEK	NWNWSE	Sec. 36 Twp 10S	Rge 36E	BANNOCK County
(Rediversion)				

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 36E 25																X	
10S 36E 36	X	X	X	X									X	X			
10S 37E 30					X	X	X		X	X							
10S 37E 30						L1	L4		L6	L7							
10S 37E 31						X	X		X	X							
10S 37E 31						L1	L3		L6	L7							
						X											
						L2											

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 36E 25																5.6	5.6
10S 36E 36	18.0	6.3	35.0	40.0									40.0	31.0			170.3
10S 37E 30					24.0	.6	5.7		1.0	15.0							83.3
10S 37E 30						L1	L4		L6	L7							
10S 37E 31										37.0							
10S 37E 31						18.0	8.3		11.0	1.5							53.8
10S 37E 31						L1	L3		L6	L7							
						15.0											
						L2											

Total Acres: 313

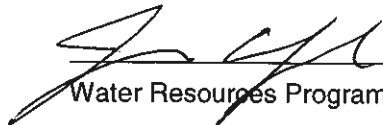
WATER RIGHT NO. 29-11465
As Modified by Transfer No. 75451

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 100.0 acres within the authorized place of use in a single irrigation season.
2. Rights 29-4302, 29-11463 and 29-11465 when combined shall not exceed the irrigation of 313.0 acres.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
6. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of January, 20 11


Water Resources Program Manager